



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kim Rainey et. al.

Attorney Docket No. RAIN-1-1005

Serial No.: 10/680,737

Group Art Unit: 3628

Filing Date: October 7, 2003

Examiner: —

Title: MULTI-USE CARRIER

**COMBINED DECLARATION AND POWER OF ATTORNEY
IN PATENT APPLICATION**

As the inventors of the invention disclosed in the patent application entitled MULTI-USE CARRIER, we each hereby declare as follows:

Our residences, post office addresses and citizenship are:

Kim Sutton-Rainey
12225 Second Avenue S
Seattle, WA 98168
US

David M. Manthey
2128 S. 272nd Street
#C210
Kent, WA 98032
US

I believe that we are the original, first and sole inventors of the subject matter that is claimed and for which a patent is sought on the invention entitled MULTI-USE CARRIER, the specification of which is attached to this declaration.

I have reviewed and understand the contents of the above-identified patent application, including the claims.

I acknowledge the duty to disclose information, which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, for the application(s) listed below. I have also identified below any foreign application(s) for patent or




25315

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- 1 -

RAIN-1-1005DPOA

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inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed: NONE

I hereby claim the benefit under 35 U.S.C. 119(e) of the following United States provisional application(s): 60/461,250, 60/443,432, AND 60/417,405.

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information that is material to patentability as defined 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application: NONE

I hereby appoint the following attorneys and agents to prosecute this application and to transact all related business in the Patent and Trademark Office or the Courts: Richard T. Black, Washington State Bar No. 20,899 and PTO Reg. No. 40,514; David A. Lowe, Washington State Bar No. 24,453 and PTO Reg. No. 39,281; Lawrence D. Graham, Washington State Bar No. 25,402 and PTO Reg. No. 40,001; Mark L. Lorbiecki, Washington State Bar No. 16,796 and PTO Reg. No. 45,643; Michael S. Smith PTO Reg. No. 39,563; Mark S. Beaufait, Washington State Bar No. 13,419 and PTO Reg. No. 48,529; Robert R. Richardson, Washington State Bar No. 25,953 and PTO Reg. No. 40,143; Mark D. Byrne, PTO Reg. No. 50,125; H. Albert Richardson, Washington State Bar No. 13,197 and PTO Reg. No. 27,701, Frank J. Bozzo, PTO Reg. No. 36,756; Dale C. Barr, Washington State Bar No. 24,696 and PTO Reg. No. 40,498 and Darren J. Jones, PTO Reg. No. 36,175.




25315

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- 2 -

RAIN-1-100SDPOA

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Direct all communications to:

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BLACK LOWE & GRAHAM^{PLLC}
701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
Direct Dial: 206.957.2469
Facsimile: 206.381.3301
Email: byrne@blacklaw.com

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

9-22-03

Date

Kim Sutton-Rainey

9-22-03

Date

David M. Manthey



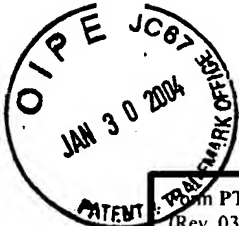
25315

- 3 -

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.		
1. Name of conveying party(ies): Kimberly Sutton-Rainey Dave Manthey Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies) Name: <u>Kimada Packaging Inc.</u> Internal Address: _____ _____ Street Address: <u>P.O. Box 247</u> _____ City: <u>Kent</u> State: <u>WA</u> Zip: <u>98035</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>September 22, 2003</u>	4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: <u>10/7/2003</u> A. Patent Application No.(s) <u>Pending</u> ATTORNEY DOCKET NO.: <u>RAIN-1-1005</u> B. Patent No.(s) Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Mark D. Byrne</u> Internal Address: <u>Black Lowe & Graham, PLLC</u> _____ Street Address: <u>701 Fifth Avenue, Suite 4800</u> _____ City: <u>Seattle</u> State: <u>WA</u> Zip: <u>98104-1502</u>	6. Total number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 3.41).....\$ <u>40</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: _____ (Attach duplicate copy of this page if paying by deposit account)	
DO NOT USE THIS SPACE		
9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i> <u>Mark D. Byrne</u> Name of Person Signing <u>Mark D. Byrne</u> Signature <u>7 October 2003</u> Date Total number of pages including cover sheet, attachments, and documents: <u>4</u>		

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Examiner: —

Title: MULTI-USE CARRIER

ASSIGNMENT

WHEREAS, I, Kim Sutton-Rainey, residing at 12225 Second Avenue South, Seattle, WA 98168, am one of the inventors named in the above-identified United States patent application;

WHEREAS, I, David M. Manthey, residing at 2128 S. 272nd St, #C210, Kent, WA 98032, am one of the inventors named in the above-identified United States patent application;

AND, WHEREAS, Kimada Packaging Inc., a small entity and Washington corporation, having a principal address at P.O. Box 247, Kent, WA 98035 (hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire right, title, and interest in and to the patent application and related inventions;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound, I hereby assign and transfer to ASSIGNEE the entire right, title, and interest in and to the patent application and related inventions, including all improvements, variations, derivations and inventive subject matter directly or indirectly related to the patent application and inventions, and all provisional or nonprovisional patent applications or issued patents that have been or may be granted thereon, including without limitation all reissues, divisions, continuations, continuations-in-part, and extensions of the patent applications or patents, or any other form of protection for the inventions related to the patent application, in the United States and foreign countries; all rights of action arising from the inventions and all applications and patents on the inventions; all claims for damages by reason of past and future infringement of the inventions and all applications and



25315

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- 1 -

RAIN-1-1005ASNG

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patents on the inventions, and the right to sue and collect damages for such infringement; all of the foregoing assigned rights to be held and enjoyed by the ASSIGNEE for its own use and benefit and for its successors and assigns as the same would have been held by me had this assignment not been made.

I do hereby further agree and promise to execute all instruments and render all such assistance as ASSIGNEE may request in order to: make and prosecute any and all applications on the inventions, maintain and enforce any and all patents on the inventions, and confirm in ASSIGNEE legal title to the inventions and all applications and patents on the inventions in the United States and foreign countries, all without charge to ASSIGNEE but at no expense to me. In the event that ASSIGNEE is unable for any reason, after reasonable effort, to secure my signature on any document needed in connection with the actions specified in this paragraph, or to otherwise perfect in ASSIGNEE the entire right, title, and interest in and to the patent application and related inventions, I hereby irrevocably designate and appoint the ASSIGNEE and its duly authorized officers and agents as my agent and attorney-in-fact, to act for and in my behalf to execute, verify and file any such documents and to do all other lawfully permitted acts to further the purposes of this assignment with the same legal force and effect as if executed by me. I hereby waive and quitclaim to the ASSIGNEE any and all claims, of any nature whatsoever, which I now or may hereafter have for infringement of any proprietary rights assigned to the ASSIGNEE.

If any provision of this assignment is held by any court to be unenforceable, such provision shall be interpreted to accomplish the objectives of the original provision to the fullest extent allowed by law, and the remainder of this assignment shall remain in full force and effect.




25315

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- 2 -

RAIN-1-1005ASNG

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EXECUTED at Kent (city), WA (state), on 9-23, 2003.

Kim Sulton-Rainey
Kim Sulton-Rainey

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that KIM R SULTON-RAINEY is the person who appeared before me and signed this instrument and acknowledged such signature to be a voluntary act for the purposes mentioned in the instrument.

Dated: 9/29/03



Robert A. Clark
Signature

Printed Name: ROBERT A. CLARK

Notary Public

My appointment expires 7/29/04

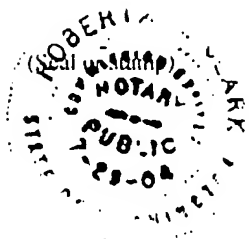
EXECUTED at KENT (city), WA (state), on 9-23, 2003.

David M. Manthey
David M. Manthey

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that DAVID M. MANTHEY is the person who appeared before me and signed this instrument and acknowledged such signature to be a voluntary act for the purposes mentioned in the instrument.

Dated: 9/23/03



Robert A. Clark
Signature

Printed Name: ROBERT A. CLARK

Notary Public

My appointment expires 7/29/04



25315

- 3 -

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